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Practitioner's Docket No. 791\_107 CIP

PATENT

JC997 U.S. PTO  
10/052226



## NEW APPLICATION TRANSMITTAL

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231 on January 17, 2002 under "EXPRESS MAIL" mailing label number EL 91265 6178 US.

Janet M. Stevens  
Janet M. Stevens

Box Patent Application  
Assistant Commissioner for Patents  
Washington D.C. 20231

Transmitted herewith for filing is the patent application of:

Inventor 1: Michio TAKAHASHI  
Address: Grand-Heights Mizuho-Kouen 1102,  
15, Tanabedori 5-Chome, Mizuho-Ku  
Nagoya-City, Aichi-Prefecture 467-0027  
Japan

**Title:** LITHIUM SECONDARY BATTERY

### 1. Type of Application

This is a request for filing a CONTINUATION-IN-PART APPLICATION under 37 C.F.R. § 1.53(b), of pending prior application:

Serial No.: 09/613,127, Prior Art Unit: 1745  
Filed: July 10, 2000, Prior Examiner: M. Wills  
Title: LITHIUM SECONDARY BATTERY  
Inventors: Michio TAKAHASHI

### 2. Papers enclosed

#### A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

20 Page(s) of Specification  
2 Page(s) of Claims  
1 Page(s) of Abstract  
1 Sheets of Formal Drawings (Figs. 1(a)-1(b))

#### B. Other Papers Enclosed

A Patent Application Bibliographic Data  
 An Information Disclosure Statement  
 PTO Form-1449

### 3. Additional Papers to Follow Under Separate Cover

A combined Declaration and Power of Attorney  
 An Assignment Transmittal and Assignment of the invention to:

NGK Insulators, Ltd.  
2-56, Suda-Cho, Mizuho-Ku  
Nagoya-City, Aichi-Prefecture 467-8530 Japan

4. The correspondence address for this application is: Customer No.: 025191

Telephone: (315) 233-8300  
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## 5. Relate Back

**A. 35 U.S.C. 119(e)**

[ ] Priority of provisional application Serial No. , filed , is hereby claimed under 35 U.S.C. §119(e).

**B. 35 U.S.C. 120, 121 and 365(c)**

Priority of said prior application 09/613,127, filed July 10, 2000, is hereby claimed under 35 U.S.C. §120.

### C. 35 U.S.C. 119 Priority Claim for Prior Application

Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

<u>Country</u>	<u>Application Number</u>	<u>Filing Date</u>
Japan	11-216794	July 30, 1999

[x] A certified copy of the above corresponding foreign application was filed in prior application Serial No. 09/613,127 on July 10, 2000.  
[ ] A certified copy of the above corresponding foreign application is filed herewith.

**6. Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)**

- Applicants hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.
- Applicants hereby request that the attached application **not** be published under 35 U.S.C. 122(b).

## 7. The filing fee has been calculated as shown below:

<b>Basic Filing fee</b> (37 CFR §1.16(a))				\$ 740.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	5 - 20 =	0	× \$ 18.00	\$ .00
Independent Claims	1 - 3 =	0	× \$ 84.00	\$ .00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$280.00 \$ .00
<b>Surcharge fees</b> (37 C.F.R. 1.16(e)--\$130.00)				
[x] late payment of filing fee <i>and/or</i>				\$ 130.00
[x] late filing of original declaration or oath (37 C.F.R. 1.16(e)--\$130.00)				
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 870.00
[ ] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ .00
<b>SUBTOTAL =</b>				\$ 870.00
[ ] Fee for processing an application filed with a specification in a non-English language (37 C.F.R. 1.17(i) and 1.52(d)--\$130.00)				\$ .00
[x] Assignment Fee (37 CFR §1.21(h)--\$40.00)				\$ 40.00
<b>TOTAL FEES DUE =</b>				\$ 910.00

## 8. Payment of Fees and Authorization to Charge Additional Fees or Credit Overpayment

- A check in the amount of is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.
  - Any additional filing fees required under 37 CFR 1.16.
  - Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Kevin C. Brown  
Reg. No. 32,402

January 17, 2002

Date

KCB:jms

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